

FLORIDA'S SUPREME COURT.

A Court Commission Suggested Until Constitutional Amendment Is Adopted.

A great deal is being said by the press, by members of the bar and indeed by people generally, about the unfortunate condition of Florida's supreme court.

The court is now about four years behind with its civil work. There are now on the court docket, awaiting decision, 370 civil cases. The court is working on civil cases submitted at the January term of 1896. The court, which consists of three justices, is constantly in session save during a short recess each summer.

The way in which the supreme court got so far behind is thus explained:

Under the old constitution of 1868, the justices were appointed by the governor for life terms. One of the Republican appointees was Justice Van Valkenburg. For several years during the middle '80s, he was very feeble, and unable to carry his part of the court's work. At this same period, litigation was increasing enormously.

The first justices of the "new court," as the court is at present organized under the constitution of 1885 is sometimes called, were not elected until the fall of 1888. They found the docket in a sadly backward shape and the number of new cases increasing more rapidly each year. They did all in their power to prevent further congestion but were not entirely successful. One cause of their failure was the horrible condition in which records from the trial courts were sent up.

Since 1897 printed or typewritten records have been required. After two or three years' slavery at this work, Judges Maxwell and Mitchell resigned, the latter to become governor. These changes in the membership of the court, and others which followed, are assigned by some as another reason why the court did not make greater headway, each new justice having to adopt himself to the discouraging conditions found. The principal reason, however, was the fact that the number of new cases continued to increase largely each year until the great freeze of 1895 checked litigation by paralyzing business in Florida for a time.

For several years past, however, the court has been disposing of as many old civil cases as new civil cases came in, and it is even making some slight progress toward catching up. It is admitted by the bar that the present supreme court, Chief Justice Taylor and Justices Mabry and Carter, is one of the strongest in the history of the state. These three justices are literally working themselves to death. "I would rather plow the year round than be a Florida supreme court judge," is a common expression with Tallahasseeans, who know whereof they speak. All interests are now demanding that some relief be promptly found by the legislature.

An amendment to the constitution—to have the court consist of six justices instead of three, and a court in two divisions will probably be provided. But the constitutional amendment cannot possibly be adopted until the general election in 1902, and there is a strong movement to have the legislature provide for the interim a court commission, of three lawyers, who shall assist the court.

Florida Political Patronage.

Much activity is noticeable in Florida Republican circles. A fight is on between the "outs" and the "ins" for a redistribution of Federal appointments. M. B. Macfarlane, of Tampa, the Republican candidate for governor, received only 6,428 votes; still he led the state ticket as a vote getter. McKinley received 7,499. In 1896, E. R. Gunby, the Republican candidate for governor, received 8,200 and McKinley 11,288 votes. This information comes from headquarters at Tallahassee.

It is said that the decreased Republican vote this year does not mean so much that there are fewer Republicans in the state, as it means general apathy in the party, owing to the close corporation nature of the organization. Judge John G. Long, of St. Augustine, and Washington, D.C. is in supreme control of the Republican organization in Florida, and Joseph E. Lee, the negro collector of internal revenue, is his prophet. Judge Long is United States consul-general at Cairo, Egypt, and is now at his post. He writes his friends in Florida that he will be with them sometime next summer, which they interpret as meaning that he is coming to fix up a new slate for the Federal offices in Florida to present to the president.

Until this is done, the present officials will all probably hold on; and, indeed, very few important changes are expected during the next four years.

Weather Report.

SUMMARY FOR NOVEMBER BY REV. JAS. H. WHITE, U. S. WEATHER OBSERVER.

Highest temperature on the 3d, 80.5; lowest temperature on the 27th, 45.5.

Mean for the month 67.0; average mean for 19 years, 67.9; highest mean for 19 years in 1883, 73.3; lowest mean for 19 years in 1885, 59.9.

Rainfall in inches, 0.82; average for 23 years, 2.35; greatest for 23 years in 1897, 5.99; least for 23 years in 1886, 0.17.

Prevailing direction of wind, northwest.

Number of clear days, 29; number of fair days, 1; number of cloudy days, 0; number of days with rain, 5.

Island Home, Merritts Island, Fla.

An Open Letter.

To the Voters of Brevard County:

Permit me to thank you for your generous support in the recent primaries.

I highly appreciate the honor you have thus conferred upon me and realize the responsibility now resting upon me.

As I see my duty it is my honest purpose to perform it. I crave your help and co-operation that the fullest measure of good results may be obtained. It is your right to demand of a public servant faithful and honest service. In order that I may serve you best, it is necessary that you should know of some of the difficulties under which I must labor at the outset.

There have been in the past large sums of money expended in the fourth district to very little purpose.

I deem it no less my duty than privilege to present for the consideration of the tax-payers of this district the matter of revenue necessary to maintain good roads and build the needed bridges.

In view of our depleted treasury, the present millage will not be sufficient to maintain good thoroughfares, keeping in mind the demand for new roads and better ones, and at the same time enable us to build the necessary bridges.

The old bridge at Melbourne, on Crane creek, is very unsafe, and demands a new one. This expenditure will take all the money available for the current year. There are two more bridges needed now, (Turkey creek and Sebastian river). How are we to provide for them? What is to be done should be done as soon as possible.

The law allows us to levy an additional tax, and in my judgment it is necessary. With an increase of five mills for—say two years—we should be able to accomplish these much needed improvements. The demand seems imperative, for with the closest economy it will not be possible to accomplish it in several years, without increased revenue.

The consent of two-thirds of the free holders in our district will be necessary before we can levy this tax. A petition to this effect will soon be presented to you and I trust it will meet your hearty approval and receive your signatures.

Very respectfully,
R. A. CONKLING,
Commissioner Fourth District.

Synopsis of the Message.

In his annual message to congress President McKinley refers to the evidences of individual and national prosperity at the dawning of a new century. He draws a contrast of this nation in 1800, with 5,308,483 inhabitants, with the great republic of 1900, with 76,295,220, and cites the fact that civilization, religion and morality have kept pace with the country's growth.

He gives first place to the troubles in China. He refers to previous outbreaks of a local character and gives a resume of the events of the past six months in China; he states the position of this government to be a desire for the safety and peace of foreigners in China and the preservation of the Chinese empire intact, with reasonable reparation for injuries inflicted.

He then refers to the relations between the United States and other nations, and without exception the relations are friendly.

Referring to the lynching of five Italians in Louisiana a few months ago, the message condemns lynch law in general terms. It commends to the early attention of the senate a convention with Great Britain to facilitate the construction of the Nicaragua canal.

Congress is advised to provide legislation to insure the continued parity between gold and silver. Two other features are the increase in banking facilities and the growth of the foreign trade. His suggestions for the reduction of taxation coincide with the plans of the ways and means committee. He recommends legislation for the upbuilding of the merchant marine.

His reference to the Philippines consists largely of instructions sent to the commission and statements of the work it has done. The policy of the United States is that the military must be supreme there as long as the insurrection lasts. The insurrection is described as having degenerated into guerrilla warfare. He refers to the successful operation of civil government in Porto Rico. He recites the call issued on July 25, for an election in Cuba for members of a constitutional convention—the call quoting the disclaimer of the United States of any intention of permanently holding the island.

The building of more ships for the navy is recommended; his suggestion for the increase of the army has been anticipated in the dispatches from Washington.

STOCK FOR SALE.

The following stock is offered for sale by the owner at very low prices, if taken at once: One mare and fine colt, colt three months old, good blood, price \$100; one thorough-bred mare colt, one year old, \$80; one stallion colt, sixteen months old, \$35; one four-year-old mare broken to harness and saddle, \$75; one pair of mules and wagon, \$225; one pair of heavy mules and wagon, \$250; one mule, \$75, guaranteed for all work and gentle; one yoke of cattle and wagon, \$75; three hundred head of hogs, in good order, \$400.

Also the following real estate: House and lot located near Titusville, ten acres, \$1,500; twenty acres pine land, part orange grove, fifty bearing trees, \$300; forty acres of hammock and orange grove on same, \$800; house and lot in North Miami, \$500.

For further particulars inquire at or address X, care STAR office, Titusville, Fla.

Cold In November.

In THE STAR of November 16th we find the following: "Tuesday morning was the coldest experienced here in many years, according to the recollections of our oldest citizens and a few of the weather-wise."

It is the same old story so often repeated—the heat is the hottest, the cold is the coldest, the wet is the wettest and the dry is the driest that the "weather-wise" have ever known. Some people are wonderful wise and their wonderful wisdom is found nowhere else in such ponderous chunks as among the "weather-wise" whose memory is their only record.

Now, what are the facts in the case? My daily record covers 19 Novembers. On Tuesday, November 13th, the lowest temperature here was 47.5 degrees. At Titusville it is usually from 3 to 6 degrees colder than here. Of the 19 Novembers nine of them have a lower temperature than the above date. Two of them have the same minimum temperature and eight of them higher.

Further along in the same article we read: "The last frost seen in Brevard county in this month, according to our oldest residents, was on Nov. 2, 1869."

On Tuesday, the 13th of Nov., 1900, the temperature at Titusville was about 42 degrees, and it is said that there were slight traces of frost here and there. But on the 21st of Nov., 1887, it was 10 degrees colder both at Titusville and at this place; Titusville 32 and Island Home 37. "Traces of frost" at 42 degrees and no frost at 32 is not at all probable.

And now the record of November is complete with a temperature 2 degrees lower on the 27th than on the 13th. This lower temperature of the 27th, which was 40 at Titusville and 45.5 at this place, has against it four of the 19 Novembers with a lower temperature, viz.: Nov., 26, 1885, 410; Nov., 21, 1887, 370; Nov., 26, 1888, 450, and Nov., 30, 1891, 410.

JAS. H. WHITE.

When the stomach is tired out it must have a rest; but we cannot live without food. Kodol Dyspepsia Cure "digests what you eat," so that you can eat all the good food you want, while restoring the digestive organs to health. It is the only preparation that digests all kinds of food. Wilson & Son.

Dry Humor Upon the Bench.

During the recent trial in the Volusia county circuit court of William O. Conrad on the charge of rape, Judge Stewart, counsel for defense, repeated the Scriptural story of the temptations of Joseph; but made a mistake in saying Pharaoh's wife was the temptress. Judge Beggs, prosecuting attorney, in reply, was quick to take advantage of the former's error and reminded the jury that it was Potiphar's and not Pharaoh's wife, who had sought to lead Joseph away from the paths of virtue and argued that Judge Stewart was as lame in his law and logic as in his knowledge of Scripture. Both gentlemen wrangled over the matter a few minutes, when Judge Jones interposed and in his calmest and most judicial manner assured the excited counsellors that the court would take judicial cognizance of the fact that the lady in the case was Mrs. Potiphar and not Mrs. Pharaoh; whereupon the "tempest in a teapot" subsided and Judge Beggs continued his address to the jury.

Weekly Weather Report.

U. S. DEPARTMENT OF AGRICULTURE WEATHER BUREAU.

Comparative statement of temperatures and rainfall for the week ending Tuesday Dec. 4, 1900.

	1900		1899	
DATE.	MAX.	MIN.	MAX.	MIN.
Nov. 28.	73	54	78	62
" 29.	78	62	71	62
" 30.	76	66	70	56
Dec. 1.	77	65	74	61
" 2.	77	63	71	60
" 3.	76	66	70	51
" 4.	82	67	76	57

Total rainfall for the week, 1.27 inch
Departure from the normal rainfall for the week, plus .59 inch.

Departure from normal rainfall since Jan. 1st, 1900, minus 4.88 inches.

HAL P. HARDIN,
Observer Weather Bureau.
Jupiter, Fla., Dec. 4, 1900.

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